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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

2005 BEATRICE L. WELLS

Plaintiff

v.

SEARS

Defendant(s)

3:05CV1019-W

COMPLAINT

1. Plaintiff resides at 18 Brannon Ave., Opelika, AL 36801

2. Defendant(s)' name(s) Sears

Location of principal office(s) of the named defendant(s)
333 Beverly Road, A3-128B, Hoffman Estates, IL 60179

Nature of defendant(s)' business Retail

Approximate number of individuals employed by defendant(s) 200+

3. This action is brought pursuant to Title VII of the Civil Rights Act of 1964 for employment discrimination. Jurisdiction is specifically conferred on the Court by 42 U.S.C. § 2000e-5. Equitable and other relief are also sought under 42 U.S.C. § 2000e-5(g).

4. The acts complained of in this suit concern:

1. ___ Failure to employ me.
2. ☒ Termination of my employment.
3. ___ Failure to promote me.
4. ___ Other acts as specified below: _____

5. Plaintiff is:

A. ☐ Presently employed by the defendant.

☒ Not presently employed by the defendant. The dates of employment were
Sept. 1994 to Nov. 1, 2004. Employment was terminated because:

- (1) ☒ Plaintiff was discharged.
(2) ☐ Plaintiff was laid off.
(3) ☐ Plaintiff left job voluntarily.

6. Defendant(s)' conduct is discriminatory with respect to the following:

A. ☒ My race.

B. ☐ My religion.

C. ☐ My sex.

D. ☐ My national origin.

E. ☐ Other, as specified below: _____

7. The name(s), race, sex, and the position or title of the individual(s) who allegedly discriminated against me during the period of my employment with the defendant company is (are) Kenneth Reese, Cau., M, General Store Manager

John Lawry, Cau., M, Assistant Store Manger

Terry Grady, Cau., M, Store Lose Prevention Manager

8. The alleged discrimination occurred on or about 11/1 /04.

9. The nature of my complaint, i.e., the manner in which the individual(s) named above discriminated against me in terms of the conditions of my employment, is as follows: _____

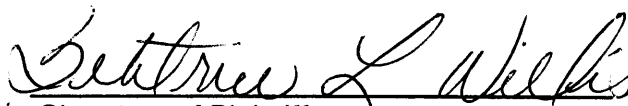
Race discrimination based on disparate treatment of black female employees by Sears' management personnel.

I was wrongfully terminated as a Sears' sales associate on November 1, 2004, for alleged coupon abuse, when other white associates were doing the same thing in using the coupons. No adverse employment action was taken against the white associates in the store. Store management had not given instructions on how to use the coupons to sales associates.

10. The alleged illegal activity took place at Sears' Store at 1627-5 Opelika Rd., Auburn, AL 36830

11. I filed charges with the Equal Employment Opportunity Commission regarding defendant(s)' alleged discriminatory conduct on or about 4/28/2005. I have attached a copy of the Notice-of-Right-to-Sue letter issued by the Equal Employment Opportunity Commission. This letter was received by me on 8/1/2005.
12. I seek the following relief:
- A. ☒ Recovery of back pay.
- B. ☒ Reinstatement to my former job,
and any other relief as may be appropriate, including injunctive orders, damages, costs,
and attorney's fees.

Date: 10/21/2005

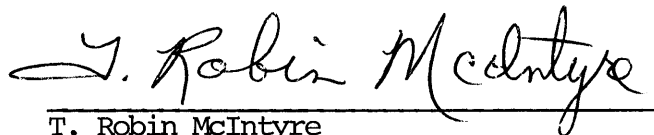


Signature of Plaintiff

18 Brannon Ave., Opelika, AL 36801

(334) 745-0148

Address & Telephone Number of Plaintiff



T. Robin McIntyre

Attorney for Plaintiff

2101 Executive Park Drive


Opelika, AL 36801

(334) 745-3223

CERTIFICATE OF SERVICE

I hereby certify that copies of the above Summons and Complaint have been sent by U.S. Mail to the following on this the 24 day of October, 2005:

SEARS LEGAL DEPARTMENT
333 Beverly Road, A3-128B
Hoffman Estates, IL 60179


T. Robin McIntyre